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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,443	08/09/2001	Kazumi Onishi	31869-174125	2971

Venable
P.O. Box 34385
Washington, DC 20043-9998

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09/27/2005

EXAMINER

NGUYEN, MINH DIEU T

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/924,443

Applicant(s)

ONISHI, KAZUMI

Examiner

Minh Dieu Nguyen

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-10 and 13 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/9/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-13 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Bright et al. (4,893,339).

a) As to claims 1 and 8, Bright discloses a secure two-way communication systems for transmitting information signal from a transmitting section in a first device to a receiving section in a second device (Fig. 2) comprising the transmitting section comprising an encryption key generator for generating an encryption key from the signal (Fig. 2, elements 206, 208 and 212, the transmitting signal is the combination of data signal from data source and synchronization signal from sequence generator (i.e. random or pseudo random in nature); col. 7, lines 13-20); a memory for temporarily storing the encryption key, thereby delaying the encryption key with respect to the signal (Figs. 5, 8); an encryption circuit (Fig. 2, element 208) for encrypting said signal by use of the delayed encryption key (Fig. 5, element 508'); and a transmitting circuit for transmitting the encrypted signal to the second device (Fig. 2, element 220); the

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receiving section comprising a receiving circuit for receiving the encrypted signal from the first device (Fig. 2, element 228); a decryption circuit (Fig. 2, element 238) for decrypting the encrypted signal by use of a delayed decryption key; a decryption key generator for generating a decryption key from the decrypted signal (Fig. 13); and a memory for temporarily storing the decryption key, thereby delaying the decryption key with respect to the decrypted signal and obtaining the delayed decryption key (Fig. 9 and Fig. 13, element 1308').

b) As to claims 2-3 and 9-10, Bright discloses transmitting computer data (Fig. 2, element 206) over secure communication network. It is inherently understood that data traveling over a network is always broken up into packets, and series of packets get transmitted from source to destination, it is also understood that packet transmission systems transmit signals intermittently, like transmitting information over the Internet.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright et al. (4,893,339) in view of the admitted prior art.

a) As to claims 6 and 13, Bright does not disclose the transmitting section in the first device further comprises a first pseudo-random pattern generating circuit for generating a pseudo-random pattern and a scrambling circuit for using the pseudo-random pattern to scramble said signal before said signal is encrypted by the encryption circuit and the receiving section in the second device further comprises a second pseudo-random pattern generating circuit for generating said pseudo-random pattern; and a descrambling circuit for using the pseudo-random pattern to descramble the decrypted signal.

The applicant's admitted prior art (Fig. 8) discloses a conventional transmission system comprising the transmitting section in the first device further comprises a first pseudo-random pattern generating circuit for generating a pseudo-random pattern and a scrambling circuit for using the pseudo-random pattern to scramble said signal before said signal is encrypted by the encryption circuit and the receiving section in the second device further comprises a second pseudo-random pattern generating circuit for generating said pseudo-random pattern; and a descrambling circuit for using the pseudo-random pattern to descramble the decrypted signal.

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of having the transmitting section in the first device further comprises a first pseudo-random pattern generating circuit for generating a pseudo-random pattern and a scrambling circuit for using the pseudo-random pattern to scramble said signal before said signal is encrypted by the encryption circuit and the receiving section in the second device further comprises a second pseudo-random

pattern generating circuit for generating said pseudo-random pattern; and a descrambling circuit for using the pseudo-random pattern to descramble the decrypted signal in the system of Bright, as the admitted prior art discloses so as to strengthen data communications over the network.

b) As to claim 7, Bright does not disclose the first device has a receiving section similar to the receiving section in the second device, and the second device also has a transmitting section similar to the transmitting section in the first device, for transmitting another signal from the second device to the first device.

The applicant's admitted prior art (Fig. 8) discloses the first device has a receiving section similar to the receiving section in the second device, and the second device also has a transmitting section similar to the transmitting section in the first device, for transmitting another signal from the second device to the first device.

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of having the first device has a receiving section similar to the receiving section in the second device, and the second device also has a transmitting section similar to the transmitting section in the first device, for transmitting another signal from the second device to the first device in the system of Bright, as the admitted prior art discloses so as to provide a bi-directional communications system.

Allowable Subject Matter

6. Claims 4-5 and 11-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873. The examiner can normally be reached on M-F 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.



mdn
9/20/05

Minh Dieu Nguyen
Examiner
Art Unit 2137


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER